

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SAYED H ZAIDI,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No.: C 10-0698 PVT

**ORDER EXTENDING SCHEDULE FOR
MOTION TO DISMISS; AND EXTENDING
DEADLINE FOR PARTIES TO FILE EITHER A
“CONSENT TO PROCEED BEFORE A
UNITED STATES MAGISTRATE JUDGE,” OR
A “DECLINATION TO PROCEED BEFORE A
UNITED STATES MAGISTRATE JUDGE AND
REQUEST FOR REASSIGNMENT”**

On May 12, 2010, Defendant filed a Motion to Dismiss. Pursuant to Civil Local Rule 73-1(a)(2), no later than five court days after that motion was filed each party was required to file either a written consent to the jurisdiction of the Magistrate Judge, or request reassignment to a District Judge. Only Defendant has done so. Therefore, based on the file herein,

IT IS HEREBY ORDERED that the deadline for Plaintiff to file either a “Consent to Proceed Before a United States Magistrate Judge,” or else a “Declination to Proceed Before a United States Magistrate Judge and Request for Reassignment,” is extended to July 13, 2010. Both forms are available from the clerk of the court, or from the “Forms” section of the court’s website (www.cand.uscourts.gov).

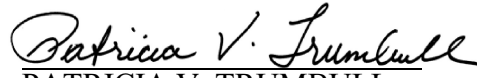
IT IS FURTHER ORDERED that the deadline for Plaintiff to file a written opposition to the motion to dismiss his complaint is extended to July 13, 2010. Plaintiff can find information about

1 responding to a motion in the court's Handbook for Litigants Without a Lawyer, which is available
2 from the clerk of the court, or by clicking on the "Pro Se Handbook" link in the list on the right-hand
3 side of the court's website.

4 IT IS FURTHER ORDERED that Defendant may file reply papers no later than July 20,
5 2010.

6 IT IS FURTHER ORDERED that the hearing on Defendant's Motion to Dismiss is
7 CONTINUED to July 27, 2010, at 10:00 a.m. in Courtroom 5 of this court.¹

8 Dated: 6/18/10

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10 PATRICIA V. TRUMBULL
11 United States Magistrate Judge
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28 ¹ In the event Plaintiff files a "Declination to Proceed Before a United States Magistrate
Judge and Request for Reassignment," Defendant will need to re-notice the motion to dismiss on the
District Judge's calendar.

Counsel automatically notified of this filing via the court's Electronic Case Filing system.

copies mailed on 6/18/10 to:

Sayed H Zaidi
81 Mihalakis St., Apt. #401
Milpitas, CA 95035

/s/ Donna Kirchner for
MARTHA BROWN
Courtroom Deputy